



**Solicitation Information
February 27, 2014**

RFP # 7548531

TITLE: Volunteer Guardian Program

SUBMISSION DEADLINE: April 1, 2014 @ 10:30 AM (Eastern Time)

**PRE-BID/ PROPOSAL CONFERENCE: NO
MANDATORY:**

If YES, any Vendor who intends to submit a bid proposal in response to this solicitation must have its designated representative attend the mandatory Pre-Bid/ Proposal Conference. The representative must register at the Pre-Bid/ Proposal Conference and disclose the identity of the vendor whom he/she represents. A vendor's failure to attend and register at the mandatory Pre-Bid/ Proposal Conference shall result in disqualification of the vendor's bid proposals as non-responsive to the solicitation.

DATE:

LOCATION:

Questions concerning this solicitation must be received by the Division of Purchases at david.francis@purchasing.ri.gov no later than **March 12, 2014 @ 10:00 AM (ET)**. Questions should be submitted in a *Microsoft Word attachment*. Please reference the RFP# on all correspondence. Questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

SURETY REQUIRED: No

BOND REQUIRED: No

David J. Francis
Interdepartmental Project Manager

Applicants must register on-line at the State Purchasing Website at www.purchasing.ri.gov

Note to Applicants:

Offers received without the entire completed four-page RIVIP Generated Bidder Certification Form attached may result in disqualification.

THIS PAGE IS NOT A BIDDER CERTIFICATION FORM

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SECTION 1: INTRODUCTION

The Rhode Island Department of Administration/Office of Purchases, on behalf of the Rhode Island Department of Human Services, Division of Elderly Affairs (“DEA”), is soliciting proposals from qualified entities to operate the ***Volunteer Guardian Program*** in accordance with the terms of this Request for Proposals and the State’s general Conditions of Purchase, which may be obtained at the Rhode Island Division of Purchases Home Page by Internet at <http://www.purchasing.ri.gov>. The initial contract period will begin approximately July 1, 2014 and continue through June 30, 2015, subject to availability of funds and/or changes in allocation of funding as more particularly described in Section 3 below. The contract may be renewed for up to three (3) additional one (1) year periods at the exclusive option of the State based upon the evaluation of the grantee agency’s performance and subject to availability of funds and/or changes in allocation of funding, as more particularly described below. Further, DEA reserves the right to not renew contract(s) for any renewal period.

This is a Request for Proposals, not an Invitation for Bid. Responses will be evaluated on the basis of the relative merits of the proposal, in addition to price; there will be no public opening and reading of responses received by the Division of Purchases pursuant to this Request, other than to name those offerors who have submitted proposals.

INSTRUCTIONS AND NOTIFICATIONS TO OFFERORS:

1. Potential vendors are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
2. Eligible applicants are law practices, consisting of not less than two full-time practicing attorneys who are admitted to the Rhode Island Bar, as well as public and private non-profit agencies that have on staff at least one part-time practicing attorney who is admitted to the Rhode Island Bar.
3. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals which depart from or materially alter the terms, requirements, or scope of work defined by this RFP will be rejected as being non-responsive.
4. All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content shall be borne by the vendor. The State assumes no responsibility for these costs.
5. Proposals are considered to be irrevocable for a period of not less than 120 days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent
6. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
7. Proposals misdirected to other state locations, or which are otherwise not present in the Division at the time of opening for any cause will be determined to be late and will not be

considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the reception area of the Division.

8. It is intended that one award pursuant to this RFP will be made to a prime vendor, or prime vendors in the various categories, who will assume responsibility for all aspects of the work. Joint venture and cooperative proposals will not be considered. Subcontracts are permitted, provided that their use is clearly indicated in the vendor's proposal and the subcontractor(s) to be used is identified in the proposal.
9. All proposals should include the vendor's FEIN or Social Security number as evidenced by a W9, downloadable from the Division's website at www.purchasing.ri.gov.
10. The purchase of services under an award made pursuant to this RFP will be contingent on the availability of funds.
11. Vendors are advised that all materials submitted to the State for consideration in response to this RFP will be considered to be Public Records as defined in Title 38, Chapter 2 of the General Laws of Rhode Island, without exception, and will be released for inspection immediately upon request once an award has been made.
12. Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP.
13. Equal Employment Opportunity (G.L. 1956 § 28-5.1-1, et seq.) – § 28-5.1-1 Declaration of policy – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies to all areas where State dollars are spent, in employment, public services, grants and financial assistance, and in state licensing and regulation. For further information, contact the Rhode Island Equal Opportunity Office at (401) 222-3090.
14. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, shall have the right to transact business in the State until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-2223040). This is a requirement only of the successful vendor(s).
15. The vendor should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBE's in all State procurements. For further information, contact the MBE Administrator at (401) 574-8253 or visit the website www.mbe.ri.gov or contact charles.newton@doa.ri.gov.
16. Every applicant that is awarded funding pursuant to this RFP must enter into a written grant agreement with DEA in a form to be prescribed by DEA and which will contain terms and conditions in addition to those set forth in this RFP.

SECTION 2: BACKGROUND AND PURPOSE

DEA is the designated State Agency on Aging for the State of Rhode Island, responsible for the development and implementation of a comprehensive, coordinated system of community-based care for citizens sixty years of age and older. A director, appointed by the Governor, manages DEA. Division responsibilities include developing and implementing a State Plan on Aging under the Older Americans Act of 1965, as amended (the “OAA”), serving as the state's Single Planning and Service Agency on Aging under the U.S. Administration for Community Living (“ACL”), advocating for the rights of older individuals, operating services designed to assist seniors to remain independent in the community and funding an array of community based services for the elderly. DEA coordinates these efforts and activities of the State Aging Network through the allocation and monitoring of federal and state funds.

DEA administers the Volunteer Guardian Program, which provides volunteer guardianship services to older, at-risk individuals residing throughout Rhode Island. The Volunteer Guardian Program (“VGP”) has been in existence since 2001. As of December 31, 2013, 85 elders had guardians through the VGP, 77 volunteers were serving as appointed guardians through the VGP, and the VGP had a waiting list of 9 elders. Substantially all wards in the VGP reside in nursing homes, assisted living and other residential facilities.

Among other things, DEA is charged under the OAA with providing services that help elders remain in the community. However, to date, very few volunteer guardians have served as guardians for elders living in the community through the VGP. The VGP also from time to time has encountered delays in locating volunteer attorneys to file guardianship petitions to appoint proposed volunteer guardians. Applicants are strongly encouraged to include in their applications proposals that will seek to address these issues.

The resulting contract pursuant to this RFP is for the period July 1, 2014 through June 30, 2015, subject to availability of state general revenue funds specifically allocated to such purposes. The contract will be renewable at the option of DEA for up to three (3) consecutive additional periods of twelve (12) months each (the first renewal period to commence July 1, 2015, the second renewal period to commence July 1, 2016, and the third renewal period to commence July 1, 2017), subject to evaluation of the grantee agency’s performance and also subject to availability of state general revenue funds specifically allocated to such purposes.

RIDEA currently anticipates that the grantee agency selected by this RFP will be able to receive up to \$81,512 in funding for the initial contract period from July 1, 2014 through June 30, 2015. RIDEA also currently anticipates that the amount of funding available for each of the three (3) twelve month renewal periods commencing July 1, 2015, July 1, 2016 and July 1, 2017, respectively, would be equal to \$81,512. All of such funding is subject to availability of state general revenue funds specifically allocated to such purposes and/or changes in allocation of funds based on budgetary measures. In addition, DEA also reserves the right to terminate this RFP at any time for any reason whatsoever and also reserves the right to not renew contract(s) for any renewal period(s).

MATCHING SHARE: The grantee agency selected by this RFP will be required to provide a matching share equal to twenty percent (20%) of the funding provided by DEA (i.e., \$16,302.00) from sources other than DEA funds. The matching funds may be in the form of either cash

contributions or in-kind contributions. The required match must be specified in the proposal, and the total project cost must at least be equal to the sum of the funding provided by DEA and the matching share required by this paragraph (i.e., \$97,814.00).

SECTION 3: SCOPE OF WORK

Funds awarded by DEA pursuant to this RFP shall be used exclusively for those services detailed in this Section 3: Scope of Work below in accordance with this RFP, with no exceptions.

The grantee agency shall provide volunteer guardianship services to older, at-risk persons residing throughout the State of Rhode Island who have been identified by a referral source as being in need of a guardian of the person.

Eligibility for the VGP requires that the proposed ward be not less than sixty (60) years of age and meet specified financial and functional criteria. Financial eligibility for wards newly enrolled in the VGP during the grant period will be limited to those persons whose income would qualify them for a seventy percent (70%) state co-payment share of the cost of prescriptions under The Rhode Island Pharmaceutical Assistance to the Elderly Program (RIPAE) income guidelines (R.I.G.L. § 42-66.2 *et seq*; currently annual income of \$24,380 or less for a single person or \$30,352 or less for a married couple). In the event that during the term of the grant the RIPAE income guidelines no longer shall be in effect, then financial eligibility criteria for the VGP shall be determined by DEA.

The VGP is **only** for those individuals who meet the eligibility criteria and who functionally are determined to be in need of a *guardian of the person*. The volunteer guardian may advocate for the appropriate use of the personal needs allowance of the prospective ward. The Rhode Island Good Samaritan Guardian Law (R.I. Gen. Laws § 33-15-4.1) (“Good Samaritan Law”) should apply to cases involving a volunteer guardian upon approval and order of the appropriate probate court. Notwithstanding the foregoing, wards enrolled in the VGP prior to the commencement of the initial grant period under this RFP shall be deemed to meet the eligibility criteria.

The grantee agency is responsible for developing a program for recruiting, screening, training, monitoring and supervising volunteer guardians, as well as for providing attorneys from the grantee agency to file petitions for guardianship for the VGP. The grantee agency shall purchase and maintain such additional insurance with respect to the VGP as shall be needed beyond the immunity from liability provided by the Good Samaritan Law, and also shall maintain adequate legal malpractice insurance.

The grantee agency shall appoint an employee to be the project coordinator for the VGP. The project coordinator shall have responsibility for administering the VGP, including but not limited to creating training materials, supervising training sessions, supervising volunteer guardians and attorneys, and maintaining such data as shall be required by DEA. If the project coordinator is not an attorney who is a member of the Rhode Island Bar, then the grantee agency also shall appoint an attorney to have responsibility for general oversight of the VGP and supervision of the project coordinator; the attorney must be a member of the Rhode Island Bar and must be, at a minimum, a part-time employee of the grantee agency. The grantee agency shall provide all fiscal, programmatic and outcome reports as shall be required by DEA.

Appropriate safeguards shall be incorporated into the VGP by the grantee agency to ensure that all measures on the continuum of alternatives are explored and the most appropriate and least restrictive pursued. The VGP training shall include education regarding these alternatives, which include but are not limited to: durable power of attorney for health care, living will, petition for instructions, and temporary guardianship.

The VGP currently is administered by Cornerstone Adult Services, Inc. (“Cornerstone”) for a grant period that will expire June 30, 2014. In the event that the grantee agency is other than Cornerstone, the grantee agency must coordinate the transition of the VGP from Cornerstone to the grantee agency, so that the VGP will be fully operational under the grantee agency on July 1, 2014 and so that there will be no interruption in the VGP. DEA will be responsible for causing Cornerstone to cooperate with the grantee agency in this transition; however, it is the grantee agency’s responsibility to coordinate with Cornerstone prior to July 1, 2014 to ensure that this transition occurs without interruption in the VGP. The grantee agency will not receive any additional funding or other compensation with respect to the obligations set forth in this paragraph.

Applicants should include in their applications proposals for seeking to increase volunteer guardians for seniors living in the community, as well as for ensuring the availability of attorneys to file guardianship petitions in a timely manner.

The grantee agency’s responsibilities also shall include the following:

- (a) Recruitment, screening and training of all volunteer guardians;
- (b) Requesting BCI checks of potential guardians to the Office of the Attorney General;
- (c) Initiating referrals to the Rhode Island Bar Association for assignment of a pro bono lawyer to file the Petition for Guardianship at Probate Court for prospective wards, if needed, to supplement from time to time the services provided by attorneys from the grantee agency;
- (d) Identifying and assigning a volunteer guardian as requested by a Probate Court Judge and informing the DEA Liaison when the assignment is finalized;
- (e) Providing on-going training of the volunteer guardians on issues related to the performance of their appointment;
- (f) Increasing the number of volunteer guardians for seniors living in the community and ensuring the availability of attorneys to file guardianship petitions in a timely manner;
- (g) Updating training manuals, as needed;
- (h) Updating policies and procedures, as needed;
- (i) Surveying health facilities on the effectiveness of the VGP and the volunteer guardians;
- (j) Providing quarterly reports to the individual identified by DEA as the “DEA Liaison;”

(k) DEA shall be recognized on all informational and promotional materials related to the VGP. All brochures, posters, advertisements, public announcements and/or media information regarding the VGP shall be submitted for review and approval to the DEA Liaison.

All reports, if any, to any governmental authorities will be provided by DEA. Also, DEA will be the reviewing and approval agency of appeals regarding denials of a volunteer guardian and/or potential ward.

The grantee agency must maintain customary commercial general liability insurance (including automobile coverage) and professional liability insurance in commercially reasonable amounts that will protect the grantee agency in providing the required services under this RFP.

SECTION 4: PROPOSAL

Narrative and format: The proposal should include specifically each of the following required elements:

A) **Technical Narrative** describing the qualifications and background of the applicant and experience with and for similar projects, and all information described earlier in this solicitation (**the narrative is limited to ten (10) pages**, excludes any appendices and, as appropriate, resumes of key staff that will provide services covered by this request). The Narrative should describe the applicant's understanding of the State's requirement and a work plan for accomplishing the results proposed, including the following:

1. Organizational Description – Describe the organizational history, services and programs provided by the agency. Include here the agency's ability to work with the target populations identified in this RFP. Describe the qualifications, functions and responsibilities of staff members who will be involved with the program. Including, but not limited to, the following:

- a. Articles of Organization of the Applicant; List of Board of Directors, By-Laws (or other appropriate ownership agreement, such as a partnership agreement, if applicable);
- b. Demonstration of Board (or partnership) endorsement, if applicable, supporting the organization's commitment to undertake the proposed project; and
- c. Demonstration that the Applicant is a law practice, consisting of not less than two full-time practicing attorneys who are admitted to the Rhode Island Bar, or a public or private non-profit agency that has on staff at least one part-time practicing attorney who is admitted to the Rhode Island Bar.

2. Project Plan -Present a clear outline of the plan of work. Outline the overall goals of the project; the specific objectives; activities and services planned to meet the goals and objectives. Include an organizational plan that will ensure proper and efficient administration of the project, including the proposed location(s) and start-up date.

Applicants should describe with specificity the activities and services they propose to offer during the grant period; and provide all other information that the applicants believe would assist the Technical Review Committee in reviewing the application).

Include an Evaluation Plan as to how the project will measure compliance with the

required objectives.

- 3. Budget and Financial Capacity**, including: 1) the completion of the Appendices -A: Budget Form and B: Project Resources, which begins on page 12 of this application and 2) Appendix C: Budget Narrative (**not to exceed three (3) pages**), which explains, in reasonable detail, the budget for the proposed project and which discloses all other sources of funding for the project. Including, but not limited to, the following:
- Most recent audited financial statements of the applicant. For agencies under \$250,000, either unaudited statements or a copy of agency 990 tax statement;
 - Current year operating budget including revenue sources and expenses;
 - If applicable, copy of 501 (c) (3) tax exempt IRS Letter, or that of the fiscal sponsor; &
 - If applicable, documentation of the applicant's federally approved indirect cost rate.

MATCHING SHARE: For each grant period, the grantee agency selected by this RFP will be required to provide a matching share equal to twenty percent (20%) of the funding provided by DEA (i.e., \$16,302.00) from sources other than DEA funds. The matching funds may be in the form of either cash contributions or in-kind contributions. The required match must be specified in the proposal, and the total project cost must at least be equal to the sum of the funding provided by DEA and the matching share required by this paragraph (i.e., \$97,814.00). The required match must be specified in the budget. The match and its source should be described with specificity in the budget narrative.

DIRECT/INDIRECT COSTS: In developing proposals, applicants should maximize the use of grant funds for the direct provision of services. In addition, the indirect cost rate for the proposal cannot exceed fourteen percent (14%) (the indirect cost rate is calculated by dividing the indirect costs of the project by its direct costs).

SECTION 5: EVALUATION AND SELECTION

Proposals will be reviewed by a Technical Review Committee comprised of staff from state agencies. The proposal must receive a minimum of 70 (70%) out of a maximum of 100 technical points to be considered responsive. Any proposals scoring less than 70 points will be dropped from further consideration. Proposals will be reviewed and scored based upon the following criteria:

Criteria	Possible Points
Organizational Capacity/Staffing Levels	35
Project Plan Quality	35
Budget Proposal	30
Total Possible Points	100

Points will be assigned based on the applicant's clear demonstration of its abilities to complete the work, apply appropriate methods to complete the work, create innovative solutions and quality of past performance in similar projects.

Applicants may be required to submit additional written information or be asked to make an oral

presentation before the technical review committee to clarify statements made in their proposal. Applicants may be required to submit additional written information or be asked to make an oral presentation before the Technical Review Committee to clarify statements made in their proposal.

The Department of Human Services/ Division of Elderly Affairs reserves the exclusive right to select the applicant(s) that it deems to be in its best interest to accomplish the project as specified herein; and conversely, reserves the right not to fund any proposal(s).

SECTION 6: PROPOSAL SUBMISSION

Questions concerning this solicitation may be e-mailed to the Division of Purchases at David.Francis@purchasing.ri.gov no later than the date and time indicated on page one of this solicitation. Please reference **RFP# 7548531** on all correspondence. Questions should be submitted in a Microsoft Word attachment. Answers to questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information. If technical assistance is required to download, call the Help Desk at (401) 574-9709.

Offerors are encouraged to submit written questions to the Division of Purchases. **No other contact with State parties will be permitted.** Interested offerors may submit proposals to provide the services covered by this Request on or before the date and time listed on the cover page of this solicitation. Responses received after this date and time, as registered by the official time clock in the reception area of the Division of Purchases will not be considered.

Responses (**an original plus four (4) copies**) should be mailed or hand-delivered in a sealed envelope marked “**RFP# 7548531 Volunteer Guardian Program**” to:

RI Dept. of Administration
Division of Purchases, 2nd floor
One Capitol Hill Providence, RI 02908-5855

NOTE: Proposals received after the above-referenced due date and time will not be considered. Proposals misdirected to other State locations or those not presented to the Division of Purchases by the scheduled due date and time will be determined to be late and will not be considered. Proposals faxed, or emailed, to the Division of Purchases will not be considered. The official time clock is in the reception area of the Division of Purchases.

RESPONSE CONTENTS

Responses shall include the following, in addition to the Proposal:

1. A completed and signed four-page R.I.V.I.P generated bidder certification cover sheet downloaded from the RI Division of Purchases Internet home page at www.purchasing.ri.gov.
2. One (1) completed and signed W-9 downloaded from the RI Division of Purchases Internet home page at www.purchasing.ri.gov (included in the original proposal).

3. **A signed and sealed Proposal** including the **Technical Narrative** (describing the qualifications/background of the applicant and experience with and for similar projects, the project plan, and budget and financial capacity [reflecting the hourly rate, or other fee structure, proposed to complete all of the requirements of this project]), as described in **Section 4** of this solicitation.
4. In addition to the multiple hard copies of proposals required, Respondents are requested to provide their proposal in **electronic format (CD-Rom, disc, or flash drive)**. Microsoft Word /Excel OR PDF format is preferable. Only 1 electronic copy is requested and it should be placed in the proposal marked “original”.

APPENDIX A – BUDGET FORM

TERM: 7/1/2014 – 6/30/2015

PROJECT COSTS

<i>COST CATEGORY</i>	TOTAL AMOUNT OF EACH COST (including RIDEA funding)	RIDEA FUNDING ALLOCATED TO EACH COST
<i>DIRECT PROGRAM COSTS:</i>		
PERSONNEL	\$	\$
FRINGE BENEFITS	\$	\$
CONSULTANTS	\$	\$
IN-STATE TRAVEL	\$	\$
OUT-OF-STATE	\$	\$
PRINTING	\$	\$
SUPPLIES	\$	\$
EQUIPMENT	\$	\$
EDUCATION MATERIALS	\$	\$
OTHER	\$	\$
TOTAL DIRECT CHARGES:	\$	\$
INDIRECT CHARGES (not to exceed 14%; to the extent funded by RIDEA funds, only can be requested on the RIDEA-funded portion of the direct charges):	\$	\$
TOTAL PROJECT COSTS: *	\$	

* The Total Project Cost, as well as all resources being applied to the total Project Cost, must be disclosed in this budget.

APPENDIX B - PROJECT RESOURCES

RESOURCES CONTRIBUTED BY AGENCY:	
USED AS MATCH:	
CASH	\$
IN KIND	\$
NOT USED AS MATCH:	
CASH	\$
IN KIND	\$
TOTAL REQUEST FROM RIDEA :	\$
TOTAL PROJECT RESOURCES (must equal total Project costs):	\$

APPENDIX C - BUDGET JUSTIFICATION (1 of 2)

DIRECT PROGRAM COSTS - DETAIL OF PERSONNEL

NAME POSITION TITLE DESCRIPTION OF GRANT DUTIES	TOTAL ANNUAL SALARY \$	TOTAL ANNUAL FRINGE \$	TOTAL ANNUAL COMPENSATION \$	PERCENTAGE OF TIME DEVOTED TO PROJECT %	TOTAL AMOUNT (\$) CHARGEABLE TO RIDEA GRANT AWARD
TOTAL REQUEST FROM RIDEA FOR PERSONNEL					\$

DIRECT PROGRAM COSTS - DETAIL OF CONSULTANTS

NAME	POSITION TITLE	HOURLY RATE \$	NUMBER OF HOURS	TOTAL COST \$	TOTAL AMOUNT (\$) CHARGEABLE TO RIDEA GRANT AWARD
TOTAL REQUEST FROM RIDEA					

APPENDIX C - BUDGET JUSTIFICATION (2 of 2)

EXPLANATION OF ALL OTHER DIRECT EXPENSES

EXPENSE CATEGORY	DESCRIPTION	TOTAL COST \$	TOTAL AMOUNT (\$) CHARGEABLE TO RIDEA GRANT AWARD
TOTAL REQUEST FROM RIDEA			

EXPLANATION OF INDIRECT EXPENSES

EXPENSE CATEGORY	DESCRIPTION	TOTAL COST \$	TOTAL AMOUNT (\$) CHARGEABLE TO RIDEA GRANT AWARD
TOTAL REQUEST FROM RIDEA			

EXPLANATION OF OTHER RESOURCES APPLIED TO TOTAL PROJECT COST

DESCRIPTION	AMOUNT